

Appl. No. 09/977,960  
Amdt. Dated 01/04/2006  
Reply to Office action of August 4, 2005

### Remarks

This response is being submitted under 37 CFR 1.34. A new Power of Attorney will be submitted shortly.

The applicants have deleted reference in the disclosure to the browser-executable link. A certified copy of the priority application in support of the claim to priority is being submitted under separate cover.

Claims 1 to 3 have been canceled. Claims 4 to 6 remain in the application, and new claims 7 to 16 have been added.

The Examiner has rejected claim 4 under 35 USC 102(a) over Karol in view of Saunders. It is noted that claim 4, this claim *alia* recites the limitation "downloading interface indexes from said routing table to corresponding entries in said forwarding table such that the label switching application has a higher priority than the connectionless routing application". The Examiner acknowledges that this limitation is missing from the primary reference, but asserts that this limitation is shown in Saunders at col. 7, paragraph 78. However, Saunders merely says that the outgoing port is determined according to a standard protocol, e.g. IP address, ATM, VCI, MPLS, LSP etc., and then teaches, that (once the port has been determined), the packets are enqueued according to an identified priority order based on CoS (Class of Service). CoS has a well understood meaning in the art. Class of Service (CoS) is a way of managing traffic in a network by grouping similar types of traffic (for example, e-mail, streaming video, voice, large document file transfer) together and treating each type as a class with its own level of service priority. Label switching and connectionless applications do not correspond to *per se* different classes of service as suggested by Saunders. Saunders says nothing about associating indices with label switching and connectionless applications, and giving a label switching application higher priority than a connectionless application as set forth in claim 4. It is well established that the prior art must teach or suggest all the claim limitations (MPEP 2143). In the applicant's respectful submission, the prior art clearly does not suggest prioritizing the applications in the manner claimed.


Similar reasoning applies to claims 5 and 6, which contains comparable limitations to claim 4.

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New claim 7 is directed to the embodiment described in the passage starting at the bottom of page 26, wherein the incoming packets are transmitted over a label switched path from the egress port determined by the interface index, and wherein a database is maintained of the label distribution sessions at the node.

Reconsideration and allowance are respectfully requested.

Respectfully submitted,



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